



PCT #2
JC07 Rec'd PCT/PTO 06 MAR 2002
09/926431

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

SAMAL, et al.

Confirmation No.: 2502

Application No.: 09/926,431

Attorney Dkt. No.: 108172-00070

Filed: October 31, 2001

For: PRODUCTION OF NOVEL NEWCASTLE DISEASE VIRUS STRAINS FROM
cDNAs AND IMPROVED LIVE ATTENUATED NEWCASTLE DISEASE VACCINES

RESPONSE TO NOTICE TO FILE MISSING PARTS

ATTN - BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

March 6, 2002

Sir:

In response to the Notice to File Missing Parts of Application dated January 17,

2002 (copy attached), the following are enclosed:

- ☒ \$65 as payment of the small entity surcharge for the Notice to File Missing Parts;
- ☒ Originally-executed Declaration/Power of Attorney;
- ☒ Originally executed Assignment with Form PTO-1595; and
- ☒ \$40.00 as payment for the recordation of the Assignment.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

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FORM PTO-1390
(REV 5-93)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NO.
102172-00070TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

October 31, 2001

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
not yet assigned
09/926431INTERNATIONAL APPLICATION NO.
PCT/US00/06700INTERNATIONAL FILING DATE
May 5, 2000PRIORITY DATE CLAIMED
May 5, 1999TITLE OF INVENTION: **PRODUCTION OF NOVEL NEWCASTLE DISEASE VIRUS STRAINS FROM cDNAs AND IMPROVED LIVE ATTENUATED NEWCASTLE DISEASE VACCINES**APPLICANT(S) FOR DO/EO/US: **Siba K. SAMAL and Peter L. COLLINS**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
(THE BASIC FILING FEE IS ATTACHED)
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☒ A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.
 - ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ A translation of the International Application into English [35 U.S.C. 371(c)(2)].
 - ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 - ☐ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
 - ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].
- Items 11 - 16 below concern other document(s) or information included:
11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 (including search report).
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
 14. ☐ A substitute specification.
 15. ☐ A change of power of attorney and/or address letter.
 16. ☒ Other items or information: IPER / Response to Communication (including Power of Attorney for P. Collins; Demand / Request for Change / Transmittal of Priority Documents (PCT/IB/304) / Response to Invitation to Correct Defects (including fifteen (15) sheets of formal drawings / copy of the application as filed (including specification; claims; and abstract) / Check No.

U.S. APPL. NO. (IF KNOWN
SEE 37 C.F.R. 1.50) not yet assigned.

INTERNATIONAL APPLICATION
NO. PCT/US00/06700

ATTORNEY DOCKET NO. 108172-00070

DATE: **October 31, 2001**

17. ☒ The following fees are submitted:
Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:
 Search Report has been prepared by the EPO or JPO.....\$890.00
International preliminary examination fee paid to USPTO
(37 C.F.R. 1.482).....\$710.00
 No international preliminary examination fee paid to USPTO
 (37 C.F.R. 1.482) but international search fee paid to USPTO
 [37 C.F.R. 1.445(a)(2)].....\$740.00
 Neither international preliminary examination fee
 (37 C.F.R. 1.482) or international search fee
 [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,040.00
 International preliminary examination fee paid to USPTO
 (37 C.F.R. 1.482) and all claims satisfied provisions of
 PCT Article 33(2)-(4).....\$ 100.00

CALCULATIONS

PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 710.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].

§

Claims	Number Filed	Number Extra	Rate
Total Claims	27 - 20 =	7	X \$ 18.00
Independent Claims	7 - 3 =	4	X \$ 84.00
Multiple dependent claim(s) (if applicable)			+ \$280.00

\$ 126.00

\$ 336.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 1172.00

Reduction by one-half for filing by small entity, if applicable.
Verified Small Entity statement must also be filed.
(Note 37 C.F.R. 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 1172.00

Processing fee of \$130.00 for furnishing the English translation
later the ☐ 20 ☐ 30 months from the earliest claimed priority date
[37 C.F.R. 1.492(f)].

\$

TOTAL NATIONAL FEE =

\$ 1172.00

Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 1172.00

Amount to be refunded

§

Charged

\$

- a. ☒ A check in the amount of \$1172.00 to cover the above fees is enclosed. *Check # 328409*
- b. ☐ Please charge my Deposit Account No. 01-2300 in the amount of \$ _____ to cover the above fee.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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